

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
(317) 232-9855

FISCAL IMPACT STATEMENT

LS 6165

BILL NUMBER: HB 1195

DATE PREPARED: Apr 4, 2001

BILL AMENDED: Apr 3, 2001

SUBJECT: Various election law matters.

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FUNDS AFFECTED: ☒ **GENERAL**
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: (Amended) This bill makes the following changes in election law:

- (1) Provides that a person is not disqualified from serving as a precinct election official because the person is related to a candidate in that precinct, if the candidate is unopposed.
- (2) Specifies when a candidate's committee statement of organization is to be filed.
- (3) Specifies that write-in candidates are required to file all campaign finance reports.
- (4) Revises language regarding ballot card colors.
- (5) Resolves a conflict in statutes regarding public access to election materials.
- (6) Requires an individual registering to vote to provide the last four digits of the individual's Social Security Number as a voter identification number. Requires precinct election officials to request of each voter at the polls the voter's identification number. Provides that a voter is not required to provide an identification number at the polls.
- (7) Provides that a petition of nomination must be filed for certification not later than noon June 30. Provides that a candidate may withdraw a petition of nomination by noon July 15 before a general or municipal election. Provides that a county voter registration office must certify and file a petition of nomination not later than noon July 15 following the date of the primary election. Provides that the names of candidates nominated by a state convention must be certified not later than noon July 15 before the general election. Provides that a candidate vacancy for an office required to be nominated at a state convention that failed to nominate a candidate must be filled not later than noon June 30. Provides that an early candidate vacancy, except a candidate vacancy created by the death of a candidate, the withdrawal of a candidate, or the

disqualification of a candidate, must be filled not later than noon June 30 after the primary election.

(8) Establishes a procedure for a member of a county election board file to a protest with the State Election Commission concerning an election ballot that the member reasonably believes does not comply with the requirements of IC 3-11-2 or is otherwise not in the form required by law.

(9) Makes election materials available to the public following an election, after expiration of the period for filing a petition or cross-petition for a recount of votes or to contest the election. Requires a county voter registration office to keep confidential that portion of election material necessary to protect the secrecy of a voter's ballot.

(10) Requires that nominees be listed on a general election ballot in type with uniform capital letters and with uniform space between each name.

(11) Permits the county executive to locate the polls for a precinct in an adjoining precinct, using the precinct election board of the adjoining precinct, if the County Election Board, by unanimous vote, determines that there are not enough active voters in the precinct to require a separate precinct election board.

(12) Makes technical changes. (The introduced version of this bill was prepared by the Census Data Advisory Committee.)

Effective Date: (Amended) Upon Passage; July 1, 2001.

Explanation of State Expenditures: (Revised) (6) Currently the voter registration form requests the Social Security number of an individual as allowed under the federal Privacy Act of 1974 (U.S.C. 552a). A space is provided on the voter registration form for this information.

This bill requires an applicant to provide their voter identification number (either the last four digits of the applicant's Social Security number on a voter registration form. This provision will require a change in the current form. The cost of changing and printing the form can be done within the current budget.

(8) The Indiana Election Commission would be required to investigate petitions by members of the County Election Board if the required specifications as provided in the bill are not met with respect to the printing of ballots. The potential expenditures involved with this provision would depend on the extensiveness of any investigations and hearings that could result.

Based on past experience of the Election Commission, any hearings required for possible violations of election law have been treated similarly to standard meetings of the Commission with respect to expenditures. Typically, the Commission members will receive standard per diem, and the Commission may incur minimal costs related to the transcriptions of Commission meetings.

For expenditures related to investigations, it has been the experience of the Election Commission for the parties involved in a deposition to cover the costs, including payment of a court reporter to record and any witness fees accrued, such as mileage for travel. With more complex investigations, site visits could be required which would incur further expenditures related to travel and possible overnight accommodations. The Election Commission, to date, has not experienced an investigation which has required significant expenditures.

(9) This bill provides that specific election materials are to be made available for copying and inspection. The current statute provides that each county is required to establish a fee schedule for the copying of documents. The fee may not exceed the actual cost of copying a document. Actual cost includes the cost of paper and the per page cost for use of copying and does not include labor costs or overhead costs. The fiscal impact of this section is negligible.

(1) - (5), (7), (12). No fiscal impact.

Explanation of State Revenues:

Explanation of Local Expenditures: (Revised) (4) and (12) apply to a county election and have no fiscal impact to the County Election Board.

(6) As amended, the County Election Board would have to update the voter poll list sheet, to include a column for the voter identification number. The cost of changing and printing the form can be done within the current budget of counties.

(10) There may be an increase in printing costs in order to accommodate uniform lettering of ballots.

(11) Counties may have the ability to remove unnecessary precinct election boards in adjoining precincts if the county election board determines, by unanimous vote, there are an insufficient number of active voters in the precinct in question. Expenditures could be saved by having to employ fewer precinct election boards in primary and general elections. A precinct has the following election officers:

Type of Officer	Number
Inspector	1
Judge	2
Poll Clerk	2
Sheriff	2
Asst. Poll Clerk	2 (Optional)

Explanation of Local Revenues:

State Agencies Affected: Indiana Election Commission; Election Division of the Secretary of State's Office.

Local Agencies Affected: County election board.

Information Sources: Kristi Robertson, Co-General Counsel, Indiana Election Division, (317) 232-3939.